

**ORIGINAL**

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6159

AN ORDINANCE approving the conditional use permit application for the Bellevue School District to demolish the present one-story Odle Middle School and to construct a new two-story facility on the same site at 502 143rd Avenue NE, which lies between 140th and 148th Avenues NE; File No. 13-119594-LB; and establishing an effective date.

WHEREAS, the Bellevue School District applied on July 3, 2013 to the City for a conditional use permit to demolish the present Odle Middle School and replace it with a two-story facility at the same site, 502 143rd Avenue NE, Bellevue, WA; and

WHEREAS, under the City's land use code, approval of an application for a conditional use permit is a Process III Decision; and

WHEREAS, the Bellevue School District, as well, applied for a critical areas land use permit, which was approved by the Director for the City's Development Services Department on February 20, 2014 for Permit No. 13-119597 LO; and

WHEREAS, prior to submitting its application, the Bellevue School District held a public meeting on the proposal on February 9, 2012; and

WHEREAS, the East Bellevue Community Council held a courtesy public meeting on the application on August 6, 2013 pursuant to notice required by law; and

WHEREAS, on January 9, 2014, a public meeting was held on the application by the Development Services Department staff to address items raised from the August 6, 2013 public meeting; and

WHEREAS, on March 14, 2014, the Hearing Examiner issued his Findings of Fact, Conclusions of Law and Recommendation for File No: 13-119594 LB, which recommends approval, subject to conditions, of said application; and

WHEREAS, the City Council concurs in the findings of fact and conclusions of law of the Hearing Examiner; and

WHEREAS, the City of Bellevue has complied with the State Environmental Policy Act and the Bellevue Procedures Code; and

WHEREAS, under City of Bellevue Land Use Code ("LUC") Section 20.35.365, if the City Council approves, or approves with modifications, within the jurisdiction of the Community Council, that approval is not effective within the jurisdiction of the Community Council until the Community Council votes to approve

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the ordinance, or the Community Council fails to disapprove the ordinance within 60 days of the enactment of that ordinance; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES  
ORDAIN AS FOLLOWS:

Section 1. The City Council adopts the findings of fact and conclusions of law made and entered by the Hearing Examiner in support of his recommendation to the City Council in this matter as attached hereto as Exhibit A and by this reference fully incorporated herein.


Section 2. The City Council hereby approves Bellevue School District's conditional use application under Permit No. 13-119594 LB to demolish and replace Odle Middle School, subject to each of the conditions set forth in the "Conditions" section of the Hearing Examiner's Findings of Fact, Conclusions of Law, and Recommendation included herewith as Exhibit A.

Section 3. This ordinance shall be recorded with the King County Department of Records and Elections.

Section 4. This ordinance shall take effect and be in force five (5) days after passage and legal publication.

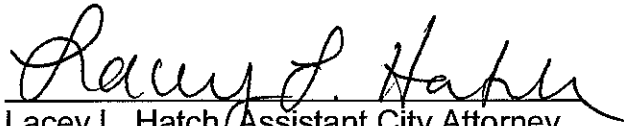
Passed by the City Council this 5th day of May, 2014  
and signed in authentication of its passage this 5th day of May,  
2014.

(SEAL)


  
Claudia Balducci, Mayor

Approved as to form:

Lori M. Riordan, City Attorney

  
Lacey L. Hatch, Assistant City Attorney

Attest:

  
Myrna L. Basich, City Clerk

Published May 8, 2014